#### STATE OF VERMONT

#### HUMAN SERVICES BOARD

In re	)	Fair	Hearing	No.	20,787
	)				
Appeal of	)				

#### INTRODUCTION

The petitioner appeals a decision by the Department for Children and Families, Health Access Eligibility Unit (HAEU), charging petitioner with a premium for April 2007 coverage for Dr. Dynasaur. The issue is whether the petitioner's income fell within the premium guidelines for April 2007. The facts regarding petitioner's income are not in dispute.

## FINDINGS OF FACT

- 1. The petitioner lives with his minor child.

  Petitioner works as a school bus driver. His base schedule is 22.5 hours per week. Petitioner can pick up extra hours driving for the pre-kindergarten program or field trips. He also does other part-time work. As a result, his income fluctuates monthly. Petitioner receives Dr. Dynasaur for his child.
- 2. On February 27, 2007, HAEU sent petitioner a bill for \$30, the premium for April 2007. The payment date was March 15, 2007. Petitioner had not been billed a premium for

the prior two months. Petitioner filed an appeal on March 8, 2007 and has received continuing benefits.

3. After applying the standard \$90 work deduction, the petitioner's income is as follows:

January	\$1,653.16	less than 185% of the ${ t FPL}^1$
February	\$2,108.98	less than 185% of the FPL
March	\$2,112.47	greater than 185% of the FPL

4. When petitioner's monthly income was below 185 percent of the FPL, he was not charged a premium. The maximum income for a two-person household at 185 percent of the FPL is \$2,111. Petitioner's income in March exceeded 185 percent of the FPL.

# ORDER

The Department's decision is affirmed.

## REASONS

The Dr. Dynasaur program provides Medicaid for children under the age of 18 years whose family incomes exceed the levels of Reach Up Financial Assistance but fall below 300 percent of the FPL. Families whose income is less than or equal to 185 percent of the poverty level pay no premium. Families whose income exceeds 185 percent of the FPL pay a premium. Premium amounts range from \$30 to \$80 per month.

<sup>&</sup>lt;sup>1</sup>FPL is the federal poverty level.

Households whose income is between 185 percent to 225 percent of the FPL pay \$30 per month. M302.26. The income maximums for a two person household are \$2,111 for 185 percent of the FPL and \$2,282 for 185-225 percent of the FPL. P-2420B.

The petitioner had household income between 185-225 percent of the FPL for March 2007. Based on his income, he was correctly assessed a \$30 premium for April 2007.

Accordingly, the Department's decision is affirmed. 3 V.S.A. \$ 3091(d), Fair Hearing Rule No. 17.

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